REMARKS

According to the most recent office action, claims 1, 3, 4, 6-8, 10, 11, 13-15, 17, 18, and 20-27 are pending in the application and these same claims stand rejected.

Telephonic Interview

On July 8, 2008, examiner Melvin Pollack and the undersigned conducted a telephonic interview. The substance of this interview is reflected in the amended claims. Agreement was reached that the currently pending and amended claim 1 patentably defines over the cited art and is thus in condition for allowance. The remaining independent claims incorporate similar limitations, where appropriate.

Claim Rejections – 35 U.S.C. § 103

The current listing of claims is shown above. Per the telephonic interview, the other independent claims have been amended according to claim 1.

Claim 1 recites:

A method for generating a data stream according to a binary format of a tag-based description language, comprising:
  receiving a plurality of tag names;
  receiving a plurality of attribute names;
  identifying tag names from said plurality of tag names;
  identifying attribute names from said plurality of attribute names;
  tokenizing tag names into numeric tokens;
  tokenizing attribute names into said numeric tokens;
  wherein said data stream comprises of said tokenized tag names and said tokenized attribute name, and wherein said data stream further comprises binary primitive types when such primitive types were originally in binary format;
  wherein said numeric tokens are configured to be variable-sized; and
wherein said numeric tokens are configured for incremental output and parsing thereby obviating a global token table at the beginning of said data stream.

For support please see at least the following passages of the specification: page 15, ll. 9-23.

Lastly, per the telephonic interview, regarding claim 11, page 6 of the specification discloses "modulated data signal[s]" and other forms of computer storage media (e.g. RAM, ROM, EEPROM, etc.). Claim 11 has been amended to add the notion of "stored" computer instructions.

The other independent claims also recite similar limitations. Insofar as the dependent claims incorporate the limitations of the independent claims, they define over the art for similar reasons.

It should be noted that any limitations removed from any of the claims, in this or any previous office action responses result in retraction of any arguments in connection with such amendments distinguishing the relied on art, thereby restoring the claim scope to their prior state, per *Hakim v. Cannon*, 479 F.3d 1313 (Fed. Cir. 2007). Any art considered in light of any rescinded amendments may need to be re-visited. *Id.* at 1318.

CONCLUSION

Applicant believes that the present remarks are responsive to each of the points raised by the examiner in the official action, and submits that all the pending claims of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the examiner's earliest convenience is earnestly solicited.

Date: August 6, 2008   / Grzegorz S. Plichta /
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